

**THE HON'BLE SRI JUSTICE
GODA RAGHURAM**

W.P.No. 17969 of 2007

23-08-2007

Between:

Sri S. Lakshmana Reddy

Petitioner

And

The Government of Andhra Pradesh,
Rep., by its Principal Secretary, Revenue (Land Acquisition),
Secretariat, Hyderabad and three others.

Respondents.

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Oral Order:

The State through the second respondent has issued a notification under Section 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act') proposing acquisition of the petitioner's land in an extent of Ac.02-25 cents in survey No. 111/1, Pera Ramachandra Puram village, H/o Duppalapudi village, Anaparthi mandal, East Godavari district for provision of house sites to weaker sections under the Indiramma programme Phase-II. No urgency clause is invoked nor the enquiry under Section 5A of the Act dispensed with. The petitioner does not plead that a draft declaration under Section 6 of the Act was issued. The learned counsel states that no notice soliciting objections under Section 5A of the Act was issued to the petitioner. The petitioner claims that he has applied for mining lease in respect of the lands in question to the mining department and that the land being valuable ought not to be acquired. These are the objections more

appropriately lodged along with his objections to be submitted pursuant to a notice issued to him under Section 5A of the Act. As no such notice has been issued, the petitioner does not have a current cause of action.

The writ petition is misconceived and is therefore dismissed.
No costs.

Dated: 23-08-2007
pvks

GODA RAGHURAM, J